

1 Todd D. Erb  
 2 Nevada State Bar No. 12203  
 2 LEWIS ROCA ROTHGERBER CHRISTIE LLP  
 3 3993 Howard Hughes Parkway, Suite 600  
 3 Las Vegas, NV 89169-5996  
 4 Tel: 702.949-8200  
 4 E-mail:terb@lrrc.com

5 R. Bradley Ziegler  
 6 Illinois Bar. No. #6288737  
 6 (*Pro Hac Vice Motion forthcoming*)  
 7 LEWIS RICE, LLC  
 7 600 Washington Ave., Suite 2500  
 8 St. Louis, Missouri 63101  
 8 314-444-7600 (Phone)  
 8 314-612-7660 (Facsimile)  
 9 E-Mail: [bziegler@lewisrice.com](mailto:bziegler@lewisrice.com)

10 *Attorneys for Defendant Norman Kastner*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 GALLINA FAMILY BANK IRREVOCABLE  
 14 TRUST, a Nevada Trust; JOHN GALLINA, an  
 15 individual; and RICHARD F. GALLINA, as  
 15 trustee of the GALLINA FAMILY BANK  
 16 IRREVOCABLE TRUST,

Case No.: 2:21-cv-00090-JCM-DJA

16 Plaintiffs,

17 vs.

18 THE LINCOLN NATIONAL LIFE  
 19 INSURANCE COMPANY, a foreign  
 20 Company; NORMAN KASTNER, an  
 21 Individual; THE LEADERS GROUP, INC.,  
 22 a foreign company; WS GRIFFITH  
 23 SECURITIES, INC., a foreign company;  
 24 CAPITAS FINANCIAL, INC., d/b/a THE  
 25 BLAIR AGENCY, a foreign company;  
 26 ROE CORPORATIONS 3-10, inclusive;  
 27 and DOES 1 – 10, inclusive,

**DEFENDANT NORMAN  
 KASTNER'S UNOPPOSED  
 MOTION TO EXTEND  
 DEADLINE TO FILE  
 RESPONSIVE PLEADING**

**(SECOND REQUEST)**

23 Defendants..

25 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and LR IA 6-1, Defendant  
 26 Norman Kastner ("Kastner") respectfully requests the Court to extend the deadline in which  
 27 he has to answer or otherwise plead to Plaintiffs' Second Amended Complaint by one week,  
 28 until February 11, 2021. In support of its Motion, Kastner states as follows:

1       1. Plaintiffs' Second Amended Complaint was filed on November 24, 2020 in  
2 Clark County District Court [ECF No. 1-6].

3       2. Kastner was served on December 16, 2020 via process server.

4       3. Kastner filed a Notice of Removal [ECF No. 1] on January 15, 2020, thereby  
5 setting a January 22, 2021 deadline for Kastner to file a responsive pleading to Plaintiffs'  
6 Second Amended Complaint.

7       4. Thereafter, counsel for Kastner conferred with counsel for Plaintiffs  
8 regarding an extension of time to respond to Plaintiffs' Second Amended Complaint up to  
9 and including February 4, 2021. Plaintiffs' counsel agreed to the requested extension of  
10 time.

11       5. On January 22, 2021, this Court granted Kastner's Unopposed Motion to  
12 Extend Deadline to File a Responsive Pleading [ECF No. 5], setting a February 4, 2021  
13 deadline for Kastner to file a response to Plaintiffs' Second Amended Complaint.

14       6. Thereafter, Kastner and his counsel continued to work diligently to gather  
15 information and documents to prepare a response, but given the extensive amount of time  
16 that has transpired since the events giving rise to Plaintiffs' Second Amended Complaint,  
17 among other factors, additional time is necessary to prepare a response.

18       7. On February 3, 2021, Counsel for Kastner conferred with Plaintiffs' counsel  
19 regarding a second extension of time limited to seven additional days for Kastner to file a  
20 responsive pleading. Plaintiffs do not oppose Kastner's request to extend his responsive  
21 pleading deadline to February 11, 2021.

22       8. Kastner now respectfully requests that the Court extend his deadline to  
23 respond to the Second Amended Complaint by seven (7) days through and including  
24 February 11, 2021.

25       9. Kastner is requesting this extension of time to allow his counsel additional  
26 time to collect and review documents and information relevant to the purchase and sale of  
27 the insurance policy at issue in this case, which occurred nearly twenty years ago on March  
28 21, 2001 [ECF No. 1-6 at ¶ 6], and to assess whether Nevada courts have personal



## **CERTIFICATE OF SERVICE**

I hereby certify that on February 3, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system:

Jeffrey R. Hall, Esq.  
Richard L. Wade, Esq.  
HUTCHISON & STEFFEN, PLLC  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145  
Facsimile: 702-385-2086  
[jhall@hutchlegal.com](mailto:jhall@hutchlegal.com)  
[rwade@hutchlegal.com](mailto:rwade@hutchlegal.com)  
*Attorneys for Plaintiff*

Kristina N. Holmstrom (10086)  
Ann-Martha Andrews (7585)  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
Wells Fargo Tower, Suite 1500  
3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702-369-6800  
Fax: 702-369-6888  
[Kristina.holmstrom@ogletreedeakins.com](mailto:Kristina.holmstrom@ogletreedeakins.com)  
[Ann.andrews@ogletreedeakins.com](mailto:Ann.andrews@ogletreedeakins.com)  
*Attorneys for Defendant Lincoln National Life Insurance Company*

/s/ June Yourgulez

An Employee of Lewis Roca Rothgerber Christie LLP